

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Beckwith Builders, Inc.,
Plaintiff

v.

Civil No. 04-cv-282-SM

William Depietri; Beth Depietri;
Wood & Clay, Inc.;
Battle Associates, Inc.;
Margulies & Associates, Inc.;
and Lakeshore Realty Trust,
Defendants

O R D E R

The court's recently issued order addressing a number of issues raised in a comprehensive joint motion to dismiss has the effect of largely mooted issues raised in a joint motion for summary judgment (document no. 92). The only issue likely surviving is that related to copyright ownership, and that is not subject to disposition on summary judgment due to the likely existence of a genuine dispute as to a material fact (whether, in fact, the original copyright owner, Stokes, orally assigned his rights in the Cedar Cove house plans to Beckwith Builders in 1999).

Accordingly, the motion for summary judgment is denied.

SO ORDERED.


Steven J. McAuliffe
Chief Judge

September 19, 2006

cc: Paul M. Monziona, Esq.
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